Case 3:73-cv-00128-MMD-CSD Document 36 Filed 07/17/95 Page 1 of 13

GORDON H. DePAOLI 1 WOODEURN AND WEDGE One East First Street 2 Suite: 1600 P.O. Box 2311 3 Reno, Nevada 89505

Telephone: (702) 688-3000

Attorneys for WALKER RIVER IRRIGATION DISTRICT

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

IN EQUITY NO. C-125 SUBFILE NO. C-125-C

STIPULATION AND ORDER

FOR EXTENSION OF TIME

(FIRST REQUEST)

UNITED STATES OF AMERICA,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

VS.

WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,

Plaintiff,

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18 Defendants. 19

> On June 22, 1995, the Walker River Irrigation District filed and served its Motion to Vacate Schedule for Serving

Responses to Mineral County Motion to Intervene; to Establish Date for Completion of Service; to Establish Date for Responses to

Mineral County Motion to Intervene after Completion of Service

(the "District's Motion to Vacate Schedule").

On or about June 30, 1995, Mineral County filed and served its Points and Authorities in Opposition to the District's Motion to Vacate Schedule.

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WOODBURN AND WEDGE ATTORNEYS ONE EAST FIRST STREET (1) RENO, NEVADA 895(1)

(702) 688-3000

Case 3:73-cv-00128-MMD-CSD Document 36 Filed 07/17/95 Page 2 of 13

- 3. In addition, on or about June 30, 1995, Mineral County filed and served its Counter Motion for Sanctions; for Relief from Further Service to Water Right Holders, for an Order Declaring that Sufficient Notice Has Been Given Water Right Holders and Points and Authorities in Support Thereof (collectively the "Mineral County Sanction Motion").
- 4. On or about June 29, 1995, the Walker River Painte Tribe filed and served its Response to the District's Motion to Vacate Schedule.
- 5. The District's Reply Points and Authorities in Support of its Motion to Vacate Schedule with respect to the Tribe's Response are due to be served on July 13, 1995 and with respect to Mineral County's Response are due to be served on July 14, 1995.
- 6. Responses to the Mineral County Sanction Motion are due to be served on July 18, 1995.
- 7. The District's Motion to Vacate Schedule and Mineral County's Motion for Sanctions involve common factual and legal issues.
- 8. The District intends to consolidate in a single document its Reply Points and Authorities in Support of its Motion to Vacate Schedule and its Points and Authorities in Opposition to Mineral County's Motion for Sanctions.
- 9. In addition, the District requires additional time in order to prepare its response to Mineral County's Sanction Motion.
- 10. There have been no previous extensions of time sought or granted with respect to Reply Points and Authorities in Support of

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the District's Motion to Vacate Schedule and a Response to Mineral 1 2 Country's Sanction Motion. NOW, THEREFORE, based upon the foregoing and subject to the 3 approval of the Court, the undersigned hereby stipulate that Reply 4 Points and Authorities in Support of the District's Motion to 5 /// 6 7 /// /// 8 9 /// /// 10 111 11 12 /// 13 /// /// 14 /// 15 /// 16 17 /// 111 18 /// 19 20 /// 21 /// 22 /// 23 111 24 /// 25 /// 26 /// 27 ///

28 WOODBURN AND WEDGE ATTORNEYS ONE FAST FIRST STREET RENO, NEVADA 89511

(702) 688-3000

Case 3:73-cv-00128-MMD-CSD Document 36 Filed 07/17/95 Page 4 of 13

1	Vacate Schedule and in Opposition	to Mineral County's Motion for
2	Sanctions shall be served not later than July 25, 1995.	
3	DATED this 12th day of Ju	ly, 1995.
4	WOODEURN and WEDGE	Frankie Sue Del Papa
5	One East First Street, Suite 1600 P.O. Box 2311	State of Nevada
6	Reno, Nevada 89505	123 West Nye Lane Carson City, Nevada 89710
7	By Dordon K. We Pash	• ,
	GOFDON H. DePAOLI	By See Facsimile Signature Attached
8	Attorneys for WALKER RIVER IRRIGATION DISTRICT	SUSAN JOSEPH-TAYLOR Attorneys for the State of
9	VARGAS & BARTLETT	Nevada
10	201 West Liberty Street, Suite 300 P.O. Box 281	GREENE, MEYER & McELROY, P.C. 1007 Pearl Street
11	Reno, NV 89504	Boulder, CO 80302
12		By See Facsimile Signature Attached
13	By See Facsimile Signature Attached LINDA BOWMAN	SCOTT B. McELROY Attorneys for Walker River
	Attorneys for United States Board	
14	Water Commissioners	ZEH, SPOO & HEARNE
15	Daniel Lungren	450 Marsh Avenue
	Attorney General	Reno, Nevada 89509
16	2101 Webster Street, 12th Floor Oakland, CA 94612-3049	By See Facsimile Signature Attached
17	Oakianu, CA 94612-3049	Attorneys for Mineral County
18	By See Facsimile Signature Attached MARY E. HACKENBRACHT	MCCUTCHEN, DOYLE, BROWN &
19	Attorneys for the California	ENERSEN Three Embarcadero Center
	State Water Resources Control Board	
20	Kathryn Landreth	By See Facsimile Signature Attached
21	John P. Lange	DAVID E. MOSER
22	United States Attorney	Attorneys for Cal-Trout, Inc.
22	999 - 18th Street, Suite 945 Denver, Colorado 80202	IT IS SO ORDERED:
23		
24	By See Facsimile Signature Attached	Tobarand Philosoph
į.	JOHN P. LANGE	UNITED STATES DISTRICT JUDGE
25	Attorneys for the United States of America	DATED (16/16/13/1995)
26	a prostruction with NP NA	yang 10
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Case 3:73-cv-00128-MMD-CSD Document 36 Filed 07/17/95 Page 5 of 13

1	Vacate Schedule and in Opposition to Mineral County's Motion for	
2	Sanctions shall be served not later than July 25, 1995.	
3	DATED this day of July, 1995.	
4	WOODBURN and WEDGE One East First Street, Suite 1600	Frankie Sue Del Papa
5	P.O. Box 2311 Reno, Nevada 89505	State of Nevada
6		Carson City, Nevada 89710
7	By	Ву
8	Attorneys for WALKER RIVER	SUSAN JOSEPH-TAYLOR
9	GORDON H. DePAOLI Attorneys for WALKER RIVER IRRIGATION DISTRICT	Attorneys for the State of Nevada
- 4	VARGAS & BARTLETT	
10	201 West Liberty Street, Suite 300 P.O. Box 281	GREENE, MEYER & MCELROY, P.C. 1007 Pearl Street
11	Reno, NV 89504	Boulder, CO 80302
12	By Duda (1 Downan	SCOTT B. MCELROY
13	LINDA BOWMAN Attorneys for United States Board	Attorneys for Walker River
14	Waten Commissioners	ZEH, SPOO & HEARNE
15	Daniel Lungren	450 Marsh Avenue
	Attorney General	Reno, Nevada 89509
16	2101 Webster Street, 12th Ploor Oakland, CA 94612-3049	Ву
17		Attorneys for Mineral County
18		MCCUTCHEN, DOYLE, BROWN &
474		ENERSEN
19	Attorneys for the California State Water Resources Control Board	inree Embarcadero Centar isan Francisco, CA 94111
20		·
21	Kathryn Landreth	DAVID E. MOSER
21	John P. Lange United States Attorney	Attorneys for Cal-Trout, Inc.
22	999 - 18th Street, Suite 945	more than the first the time, the
23	Denver, Colorado 80202	IT IS SO ORDERED:
24	Dv.	
44	JOHN P. LANGE	UNITED STATES DISTRICT JUDGE
25	Attorneys for the United States of	
26	America	DATED

WE OVE

Case 3:73-cv-00128-MMD-CSD Document 36 Filed 07/17/95 Page 6 of 13

1	Vacate Schedule and in Opposition to Mineral County's Motion for	
2	Sanctions shall be served not later than July 25, 1995.	
3	DATED this day of Jul	y, 1995.
4	One East First Street, Suite 1600 P.O. Box 2311	State of McAdda
6	Reno, Nevada 89505	123 West Nye Lane Carson City, Nevada 89710
7	GORDON H. DePAOLI Attorneys for WALKER RIVER	BySUSAN_JOSEPH-TAYLOR
9	IRRIGATION DISTRICT	Attorneys for the State of Nevada
10	VARGAS & BARTLETT 201 West Liberty Street, Suite 300 P.O. Box 281	GREENE, MEYER & McELROY, P.C. 1007 Pearl Street Boulder, CO 80302
11	Reno, NV 89504	
12	Ву	SCOTT B. McELROY Attorneys for Walker River
13	LINDA BOWMAN Attorneys for United States Board	Paiute Tribe
14	Water Commissioners	ZEH, SPOO & HEARNE 450 Marsh Avenue
15	Daniel Lungren Attorney General 2101 Webster Street, 12th Floor	Reno, Nevada 89509
16	Oakland, CA 94612-3049	By
17	By MARY E. MACKENBRACHT	MCCUTCHEN, DOYLE, EROWN &
19	Attorneys for the California State Water Resources Control Boar	Three Embarcadero Center dSan Francisco, CA 94111
20	Kathryn Landreth	BY
21	John P. Lange United States Attorney	DAVID E. MOSER Attorneys for Cal-Trout, Inc.
22	999 - 18th Street, Suite 945 Denver, Colorado 80202	IT IS SO ORDERED:
23		
24	JOHN P. LANGE	UNITED STATES DISTRICT JUDGE
25	Attorneys for the United States of America	DATED
26		

TUL 11 '95 01:29PM WOO. N WEDGE Case 3:73-cv-00128-MMD-CSD Document 36 Filed 07/17/95 Page 7 of 13

1	Vacate Schedule and in Opposition t	o Mineral County's Motion for
2	Sanctions shall be served not later than July 25, 1995.	
3	DATED this day of Jul	Ly, 1995.
4	WOODBURN and WEDGE One East First Street, Suite 1600	Frankie Sue Del Papa Attorney General
5	P.O. Box 2311 Reno, Nevada 89505	State of Nevada 123 West Nye Lane
6	Kello, Nevada Cooto	Carson City, Nevada 89710
7	By GORIXON H. DePAOLI	Ву
8	Attorneys for WALKER RIVER IRRIGATION DISTRICT	SUSAN JOSEPH-TAYLOR Attorneys for the State of Nevada
9	VARGAS & BARTLETT	
10	201 West Liberty Street, Suite 300 P.O. Box 281	1007 Pearl Street Boulder, CO 80302
11	Reno, NV 89504	•
12	By	SCOTT B. McELROY
13	Attorneys for United States Board	Painte Tribe
14		ZEH, SPOO & HEARNE
15	Daniel Lungren Attorney General	450 Marsh Avenue Reno, Nevada 89509
16	2101 Webster Street, 12th Floor Oakland, CA 94612-3049	Ву
17		Attorneys for Mineral County
18	BYMARY E. HACKENBRACHT	MCCUTCHEN, DOYLE, BROWN & ENERSEN
19	Attorneys for the California State Water Resources Control Board	Three Embarcadero Center
20	Kathryn Landreth	Ву
21	John P. Lange United States Attorney	DAVID E. MOSER Attorneys for Cal-Trout, Inc.
22	999 - 18th Street, Suite 945 Denver, Colorado 80202	IT IS SO ORDERED:
23	7109	
24	By JOHN P. LANGE	UNITED STATES DISTRICT JUDGE
25	Attorneys for the United States of	DATED
26	ছ- কৃত্যনৰ শ্বিদা প্ৰচ্যা (বিচ- প্ৰস্তুপ) সৰু প্ৰচ্যা	

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Vacate Schedule and in Opposition to Mineral County's Motion for Sanctions shall be served not later than July 25, 1995.

DATED this 13th day of July, 1995.

WOODBURN and WEDGE One East First Street, Suite 1600 Attorney General P.O. Box 2311 Ranc, Nevada 89505

Frankie Sue Del Papa State of Nevada 123 West Nye Lane Carson City, Nevada 89710

By_ GORDON H. DePAOLI Attorneys for WALKER RIVER IRRIGATION DISTRICT

SUSAN JOSEPH-TAYLOR Attorneys for the State of

VARGAS & BARTLETT 201 West Liberty Street, Suite 300 GREENE, MEYER & MCELROY, P.C. P.O. Box 281 Reno, NV 89504

1007 Pearl Street Boulder, CO 80302

LINDA BOWMAN Attorneys for United States Board Paiute Tribe Water Commissioners

SCOTT B. MCELROY Attorneys for Walker River

Daniel Lungren Attorney General 2101 Webster Street, 12th Floor Oakland, CA 94612-3049

By__ Attorneys for Mineral County

MARY E. HACKENBRACHT Attorneys for the California

MCCUTCHEN, DOYLE, BROWN & ENERSEN Three Embarcadero Center State Water Resources Control BoardSan Francisco, CA 94111

ZEH, SPOO & HEARNE

Reno, Nevada 89509

450 Marsh Avenue

Kathryn Landreth John F. Lange United States Attorney 999 - 18th Street, Suite 945 Denver, Colorado 80202

DAVID E. MOSER Attorneys for Cal-Trout, Inc.

23 24

22

IT IS SO ORDERED:

JOHN P. LANGE Attorneys for the United States of 25 America 26

UNITED STATES DISTRICT JUDGE DATED_

27

VOODBURN AND WEDGE **ATTORNEYS** TARRENTS TRUET EXALT: REND, NEVALIZA BUSUL (702) 63a-3006

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JUL 11 '95 01:32PM WO' BURN WEDGE

Case 3:73-cv-00128-MMD-CSD Document 36 Filed 07/17/95 Page 9 of 13

Vacate Schedule and in Opposition to Mineral County's Motion for 1 Sanctions shall be served not later than July 25, 1995. DATED this _ Mfh day of July, 1995. 3 Frankie Sue Del Papa WOODBURN and WEDGE One East First Street, Suite 1600 Attorney General State of Nevada P.O. Box 2311 123 West Nye Lane Reno, Nevada 89505 Carson City, Nevada 89710 7 GORDON H. DEPAOLI SUSAN JOSEPH-TAYLOR Attorneys for WALKER RIVER Attorneys for the State of IRRIGATION DISTRICT Navada VARGAS & BARTLETT 201 West Liberty Street, Suite 300 GREENE, MEYER & McELROY, P.C. 1007 Pearl Street 10 P.O. Box 281. Boulder CO 80302 Renc, NV 89504 11 SCOTT B/ MCELROY 12 Attorneys for /Walker River LINDA BOWMAN Attorneys for United States Board Paiute Tribe 13 Water Commissioners ZEH, SPOO & HEARNE 14 450 Marsh Avenue Daniel Lungren Reno, Nevadá 89509 15 Attorney General 2101 Webster Street, 12th Floor 16 Oakhand, CA 94612-3049 Attorneys for Mineral County 17 MCCUTCHEN, DOYLE, BROWN & 18 ENERSEN MARY E. HACKENBRACHT Attorneys for the California Three Embarcadero Center State Water Resources Control BoardSan Francisco, CA 94111 19 20 Kathryn Landreth DAVID E. MOSER John P. Lange Attorneys for Cal-Trout, Inc. 21 United States Attorney 999 - 18th Street, Suite 945 2.2 IT IS 80 ORDERED; Denver, Colorado 80202 23 UNITED STATES DISTRICT JUDGE 24 JOHN P. LANGE Attorneys for the United States of 25 DATED____ America 26 27

KENO, NEVADA 89301 -(302) 688-3000

Case \$:73-cv-00128-MMD-CSD Document 36 Filed 07/17/95 Page 10 of 13

1	Vacate Schedula and in Opposition to Mineral County's Motion for	
2	Sanctions shall be served not later than July 25, 1995.	
3	DATED this day of July, 1995.	
4	WOODBURN and WEDGE One East First Street, Suite 1600	Frankie Sue Del Papa Attorney General
5	⊅ O. Box 2311	state of Nevada 123 West Nye Lane
6		Carson City, Nevada 89710
7	GCRDON H. DePAOLI	Ву
8	GCRDON H. DePAOLI Attorneys for WALKER RIVER IRRIGATION DISTRICT	SUSAN JOSEPH-TAYLOR Attorneys for the State of
9	VANCAC E BARMIETT	MEAGG
10	201 West Liberty Street, Suite 300 P.O. Box 281	1007 Pearl Street
11	Renc, NV 89504	Boulder, CO 80302
12	Ву	SCOTT B. MCELROY
13	LINDA BOWMAN Attorneys for United States Board	Attorneys for Walker River Paiute Tribe
14	Water Commissioners	ZEH, SPOO & HEARNE
15	Attornev General	450 Marsh Avenue Reng, Nevada 89508
16		Aztorneys for Mineral County
17.		// -
18	By	CMCCUTCHEN, DOYLE, BROWN & ENERSEN
19	State Water Resources Control Boar	dSan Francisco, CA 94111
20	Kathryn Landreth	Ву
21	John P. Lange United States Attorney	DAVID E. MOSER Attorneys for Cal-Trout, Inc.
22	999 - 18th Street, Suite 945 Denver, Colorado 80202	IT IS SO ORDERED:
23		
24	JOHN P. LANGE	UNITED STATES DISTRICT JUDGE
25	Attorneys for the United States of America	DATED
26		
27		

Case 3:73-cv-00128-MMD-CSD Document 36 Filed 07/17/95 Page 11 of 13

1	Vacate Schedule and in Opposition to Mineral County's Motion for	
2	Sanctions shall be served not later	
3	DATED this day of Jul	y, 1995.
4	WOODBURN and WEDGE One East First Street, Suite 1600	Attorney General
5	P.O. Box 2311 Reno Nevada 89505	State of Nevada 123 West Nye Lane
6		Carson City, Nevada 89710
7		Ву
8		SUSAN JOSEPH-TAYLOR Attorneys for the State of Nevada
9	VARGAS & BARTLETT	
10	201 West Liberty Street, Suite 300 P.O. Box 281	GREENE, MEYER & MCELROY, P.C. 1007 Pearl Street Boulder, CO 80302
11.	Reno, NV 89504	·
12	Ву	SCOTT B. McELROY
13	Attorneys for United States Board	Attorneys for Walker River Paiute Tribe
14	Water Commissioners	ZEH, SPOO & HEARNE
15	Daniel Lungren Attorney General	450 Marsh Avenue Reno, Nevada 89509
16	2101 Webster Street, 12th Floor Oakland, CA 94612-3049	By
17		-
18	BY MARY E. HACKENBRACHT	MCCUTCHEN, DOYLE, BROWN & ENERSEN
19	Attorneys for the California State Water Resources Control Board	Three Embarcadero Center ISan Francisco, CA 94111
20		By Weller
21	Kathryn Landreth John P. Lange	DAVID E. MOSER
22	United States Attorney 999 - 18th Street, Suite 945	Attorneys for Cal-Trout, Inc.
23	Denver, Colorado 80202	IT IS SO ORDERED:
24	Ву	
	JOHN P. LANGE Attorneys for the United States of	UNITED STATES DISTRICT JUDGE
25	America	DATED
26		
27		
WOODBURN AND WEDGE	4	
ATTORNEYS DNR PASCETRES ETREST RENG DEVADA 1991		

(70:b) 64.9-3060

CERTIFICATE OF SERVICE BY MAIL 1 2 I certify that I am an employee of Woodburn and Wedge, and that on this date, 3 pursuant to FRCP 5(b), I deposited in the United States mail at Reno, Nevada, a true copy of 4 the feregoing document, addressed to: 5 Shirley A. Smith Richard R. Greenfield 6 Asst. U.S. Attorney Dept. of the Interior 100 W. Liberty St., #600 Two North Central Ave., #500 7 Reno, Nevada 89509 Phoenix, AZ 85004 8 Western Nevada Agency George Benesch 9 Benesch & Fermoile Bureau of Indian Affairs P.O. Box 3197 1677 Hot Springs Road 10 Reno, NV 89505 Carson City, NV 89706 11 R. Michael Turnipseed, P.E. Jim Weishaupt, General Manager Division of Water Resources WRID 12 State of Nevada P.O. Box 820 13 Yerington, NV 89447 123 West Nye Lane Carson City, NV 89710 14 James T. Markle Scott McElroy 15 State Water Resources Greene, Meyer & McElroy 16 Control Board 1007 Pearl Street Boulder, CO 80302 P.O. Box 100 17 Sacramento, CA 95814 18 David Moser, Esq. John Kramer Dept. of Water Resources McCutchen, Doyle, Brown & 19 1416 Ninth Street Enerson 20 Sacramento, CA 95814 Three Embarcadero Center San Francisco, CA 94111 21 Richard E. Olson, Jr. John P. Lange 22

Claassen and Olson
P.O. Box 2101
Carson City, NV 89702

Ross E. deLipkau
P.O. Box 2790

P.O. Box 2790 Reno, Nevada 89505 Roger Johnson Water Resources Control Board State of California P.O. Box 2000 Sacramento, CA 95810

Land and Natural Resources

Federal Bldg., Dr. 3607

999 18th Street, Ste. 945

Denver, CO 80202

28 WOODBURN AND WEDGE ATTORNEYS ONE FAST FIRST STREET RENO. NEVADA 895(1 (702) 688-3000

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1	Garry Stone	
2	290 South Arlington Reno, NV 89510	
3		
	Linda Bowman Vargas & Bartlett	Mary Hackenbracht Deputy Attorney General
4	P.O. Box 281	State of California
5	Reno, Nevada 89504	2101 Webster Street
6	Susan Joseph-Taylor	Oakland, CA 94612-3049
7	Deputy Attorney General	Roger Bezayiff
,	State of Nevada	Water Master
8	198 So. Carson Street	U.S. Board of Water
9	Carson City, Nevada 89710	Commissioners P.O. Box 853
		Yerington, Nevada 89447
10	Jim Spoo	g , 1.0.
11	Zeh, Polaha, Spoo & Hearne	
12	575 Forest Street Reno, Nevada 89509	
13		
14	DATED this $\frac{2}{2}$ day of July, 19	95.
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17		J. Saveting to a secret
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28 WOODBURN AND WEDGE ATTORNEYS ONE EAST FIRST STREET RENO. NEV/DA 89501 (702) 688-3000